

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cr. No. 18-CR-2945 WJ
	)	
JANY LEVEILLE,	)	
SIRAJ IBN WAHHAJ,	)	
LUCAS MORTON,	)	
HUJRAH WAHHAJ, and	)	
SUBHANAH WAHHAJ,	)	
	)	
Defendants.	)	

**SECOND MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENSE  
MOTION TO COMPEL THE GOVERNMENT TO PRODUCE RULE 16 AND BRADY-  
GIGLIO DISCOVERY AND DISCOVERY GOVERNED BY CIPA**

For the reasons described below, the United States of America respectfully requests a short second extension of one week in which to file its response to the Defendants’ “Motion To Compel the Government to Produce Rule 16 and Brady-Giglio Discovery and Discovery Governed by CIPA,” (Doc. 702) filed on March 31, 2023. In support of this motion, the Government provides as follows:

1. As extended by the Court’s order on the United States’ first motion for a two-week extension, Doc. 715, responsive pleading to the Defendants’ motion to compel discovery is due April 28, 2023. However, because the Defendants’ motion seeks to compel the production of classified information, the Department of Justice’s National Security Division in Washington, D.C. (“NSD”), has had the

United States' draft response since Wednesday, April 26, 2023, for review and coordination.

2. The ongoing DOJ/NSD and FBI review and approval related to the Government's CIPA Section 4 motion, and the overlapping of many subjects with the Government's response to the motion to compel discovery, has prompted the need for further review and coordination within NSD before the response to the motion to compel can be filed. Thus, the United States is compelled to request a second extension of one week, setting the extended filing deadline as May 5, 2023.
3. Finally, in connection with the United States' response to the motion to compel, the United States identified a handful of items that it could declassify and disclose to the Defendants. The United States has already produced many of these items, and will continue to produce the others when received, notwithstanding the extension of time to file its response.
4. The United States requested the Defendants' position on the requested extensions, and counsel for Defendants Siraj Wahhaj, Hujrah Wahhaj, Subhanah Wahhaj, and Jany Leveille, do not oppose the Government's request. The United States was unable to reach Defendant Lucas Morton, whose opposition may be assumed.

WHEREFORE, the United States respectfully requests an extension of time until Friday, May 5, 2023, to file its response to the Defendants' "Motion To Compel the Government to Produce Rule 16 and Brady-Giglio Discovery and Discovery Governed by CIPA," (Doc. 702).

Respectfully submitted,

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*/S/ Electronically filed*  
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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to defense counsel.

*/S/ Electronically filed*  
TAVO HALL  
Assistant United States Attorney